Wisconsin Court System Administration

Wis. Stat. 885.38(2)
The supreme court shall establish the procedures and policies for the recruitment, training, and certification of persons to act as qualified interpreters in a court proceeding and for the coordination, discipline, retention, and training of those interpreters.
Court Interpreter Program Staffing

- Staff of one whose duties include:
  - Training, testing, continuing education
  - Presentations
  - Legislation
  - ADA
  - Translations
  - Interpreter payment program to counties
  - Website, interpreter personnel records, disciplinary complaints, recruitment, roster maintenance, Language Access Plan
  - Media interviews & press releases
  - Staff advisory committee
Things that Worked for Us

- Education, education, education...!
  - Prosecutors, public defenders, victim-witness staff, DOJ, DV advocates, refugee services agencies, bar associations (local & state), specialty bars (e.g. Hispanic Lawyers, Asian Bar), law students, CBOs, police, prisons, social workers... **anyone** who will listen or invites, not just court personnel
- Link funding incentives to use of certified interpreters
- Implement procedures in program policies (if possible)
  - Rules and statutes are more difficult to pass and modify
- Site visits to courthouses early to meet with judges & court staff
- Collaborate with ASL interpreters
- Advisory committee representing all stake-holders & sectors
Things I wish I had known or done better

- Implement CE requirements sooner
- Implement stricter testing requirements from the start (can always reduce or modify)
  - partial passes vs. full passes of oral exam
  - “just-squeaked-by-with-70%” via partial passing interpreters
- Maintain professional “distance” but be accessible and get out of your office
- Advocate for support staff & delegate
Developing a Language Access Program
Arizona Courts Overview

- 15 counties, 15 branches of Superior Court (trial courts, general jurisdiction)
- 83 Municipal Courts and 83 Justice of the Peace Courts (limited jurisdiction)
- Roughly 181 courts altogether; over 400 judicial officers
- Non-unified court system; AOC does not hire or pay for interpreters
- Over 60% of population and resources located in Phoenix area (central Arizona)
Arizona Court Interpreter Credentialing Program

- Created January 2016 by Administrative Order
- Program policies enacted via Administrative Directive
- Not yet included in Arizona Code of Judicial Administration
- Court Interpreter Program Advisory Committee created in 2016
- Program Staffing: 1 Language Access Coordinator & 1.5 Program Specialists
AZ Program Responsibilities

- Testing, training, resources related to credentialing
- Presentations, court leadership training, outreach
- VRI oversight & assistance
- Translations, proofreading, contract management
- Website, Roster, Registry & records maintenance
- Language Access Plan & templates
- Assistance and resources for local courts
- Staff advisory committee
What Has Worked Well

- Applying lessons learned from similar programs (Implementation; Court Reporters)
- Scoped for sustainability & accessibility (i.e., tiers, weekend testing, partial exams, etc.)
- Visiting states with existing programs to observe testing practices
- Broad outreach to judges & court administrators
- Advisory committee to make recommendations & communicate needs
- Starting program via Orders and Directives vs. Code sections
Challenges

- Interpreter training initially disapproved; advocate strongly
- Resistance by some interpreter agencies and LUL (LOTS) interpreters
- Widespread use of “bilingual” staff as interpreters
- Paradigm/culture shift; existing relationships (convenience & utility vs. competence)
- Extension requests despite 3.5 year grace period
- Staff requirement vs. freelance preference
Commission on Interpreters of the Supreme Court of Georgia
Georgia Overview

• 159 Counties.
• 8 Different types of courts (Including Appeals and Supreme Courts).
• Each Court is responsible for their LAP.
• It’s hot and sticky in the summer.
• Think traffic is bad where you live? Come to Atlanta during peak hours.
• As GA has a non-unified system, each County pays for interpreters separately. (We’re only unified on paper).
• Aside from Metro Atlanta, Macon, and Savannah, the state is rural.
Let’s do the numbers

• 176 Licensed Court Interpreters (Certified, Conditionally Approved, Registered)

• About 75% of these interpreters are located around the Metro Atlanta area (30 counties, total population 4,515,419 as of 2017)

• 8.8% of the population in Metro Atlanta speak Spanish at home, 3.9% speak an Indo-European language at home and 2.8% speak Asian languages at home (2008 Figures)
What do y’all do at the COI?

- Training, testing and licensing.
- Maintain registry.
- Instruct Judges in all levels of court on how to work with interpreters.
- Creating a customizable LAP for courts to use independently.
- Create relationships with local professional organizations to develop trainings and assisting these organizations to advertise these trainings.
- Working with other State Agencies to create more working relationships, one of them being the GA Department of Education.
- Contacting Colleges and Universities to create interest with their students to follow interpretation as a profession.
What are we doing well aside from barbecue?

• Educate Judges, Court Administrators, Judicial Attorneys, other Court Staff as to how to effectively work with an interpreter.

• Provide a robust registry to facilitate contacting interpreters, court reporters, neutrals and process servers.

• Provide training opportunities for written and oral exams.

• Advise the Commission on Interpreters regarding policy, propose said policies and be more proactive in the way we do this.

• Creating Bench Cards for the judges to use as a quick reference.

• Become partners with different groups, commissions, committees, etc. to ensure that these groups keep interpreters in mind in their policymaking.
What have we messed up big time?

• Initially providing wide flexibility in qualification and licensing. *You can’t tell me what to do!* Having Judges and Court Administrators refuse our assistance in creating a more wholesome LAP.

• Not having enough training opportunities related to interpreters and lack of training for stakeholders.

• Not telling courts that just because someone comes from an interpreting agency, that they are not necessarily ready to be interpreters (We’ve all heard the horror stories).

• *Go back where you came from!* (aka *Speak English!*) not having sensitivity and cultural training for stakeholders, specially in rural areas.

• Having old/outdated rules that did not sufficiently support the Commission with their assigned task and that did not support interpreters in the field.

• Poor policing, not having a grievance procedure.

• Not having the support of all different Councils of Judges or classes of courts.
How are we fixing things?

• Eliminating flexibility in licensing, following NCSC/CLAC guidelines.
• Fervently encouraging stakeholders to let us assist with interpreter-related issues.
• Creating more training opportunities. Increasing the amount of orientations and testing.
• Educating stakeholders at every possible turn, in every way we can.
• Working with the State Bar other training groups to create sensitivity training related to LEPs
• Updating the rules to strongly encourage any persons interpreting in a court to at least be enrolled with the Commission. Holding agencies responsible for the quality of interpretation that their contractors provide.
• Creating grievance procedures and educating stakeholders on these procedures.
• Reaching out to as many Courts as possible advocating that they should use licensed interpreters.
It’s not the easiest path to follow, but it’s worthwhile.
Thank you for your time.